

**IDAHO CONTRACTORS BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 11/15/2016**

**BOARD MEMBERS PRESENT:** C Roy Ellis - Chair  
J Robert Pilote  
Rebecca Ann Bowen Odom  
Gary R Bond

**BOARD MEMBERS ABSENT:** Rodney Underhill

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Mitchell Toryanski, Legal Counsel  
Eric Nelson, Board Prosecutor  
John Kersey, Chief Investigator  
Mary Miles, Technical Records Specialist II

**OTHERS PRESENT:** Bryce Howell, Silver Eagle Construction  
Jerry Lattimer, Fast Trax Flooring  
Shane Nutt, Fast Trax Flooring  
Don Carlisle, Carlisle Outdoor Service  
Sean Robinson, Robinson Remodel

The meeting was called to order at 8:30 AM MST by C Roy Ellis.

**APPROVAL OF MINUTES**

Mr. Pilote made a motion to approve the minutes of 10/11/2016 and 10/26/2016. It was seconded by Mr. Bond. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said August 1<sup>st</sup> was the deadline for proposed law changes and the third week of August was the deadline for proposed rule changes to be submitted to the Governor's Office for the 2017 Legislative

Session. The Board does not have any proposed changes for the 2017 Legislative Session.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$56,188.83 as of 10/31/2016.

## **DISCIPLINE**

Mr. Nelson presented a memorandum regarding case numbers CON-2016-83, CON-2017-34, CON-2017-30, and CON-2017-29. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Nelson presented a Stipulation and Consent Order in case CON-2016-50. Mr. Pilote made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Bond. Motion carried.

Mr. Nelson presented Findings of Fact, Conclusion of Law and Final Orders in cases CON-2016-114, and CON-2016-115. Mr. Bond made a motion to approve the Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Odom. Motion carried.

Mr. Nelson presented Emergency Suspension Orders for cases CON-2017-21 and CON-2017-22. Mr. Bond made a motion to approve the Emergency Suspension Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Odom. Motion carried.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

Mr. Pilote made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2017-10, I-CON-2017-54, I-CON-2017-61, I-CON-2017-77, I-CON-2017-91, I-CON-2017-15, I-CON-2017-36, I-CON-2017-45, I-CON-2017-48, I-CON-2017-57, I-CON-2017-59, I-CON-2017-33, I-CON-2017-34, and I-CON-2017-65. It was seconded by Mr. Bond. Motion carried.

Mr. Bond made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2016-80, I-CON-2016-166, I-CON-2016-232, I-CON-2016-234, I-CON-2016-254, I-CON-2017-32, and I-CON-2017-39. It was seconded by Ms. Odom. Motion carried.

Mr. Ellis recused himself from discussion or voting on case I-CON-2016-234.

Ms. Odom made a motion to approve the Bureau's recommendation and authorize closure in case I-CON-2016-243. It was seconded by Mr. Bond. Motion carried.

### **EXECUTIVE SESSION**

Mr. Pilote made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Bond. The vote was: Mr. Pilote, aye; Mr. Bond, aye; Ms. Odom, aye; and Mr. Ellis, aye. Motion carried.

Mr. Bond made a motion to come out of executive session. It was seconded by Mr. Pilote. The vote was: Mr. Pilote, aye; Mr. Bond, aye; Ms. Odom, aye; and Mr. Ellis, aye. Motion carried.

### **BOARD DETERMINATION**

Mr. Bond made a motion to accept the payment arrangement in case CON-2016-26 and authorize the Board Chair to sign on behalf of the Board. It was seconded by Mr. Pilote. Motion carried.

Mr. Bond made a motion to accept the payment arrangement in case CON-2007-104 and authorize the Board Chair to sign on behalf of the Board. It was seconded by Mr. Pilote. Motion carried.

### **EXECUTIVE SESSION**

Mr. Pilote made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Bond. The vote was: Mr. Pilote, aye; Mr. Bond, aye; Ms. Odom, aye; and Mr. Ellis, aye. Motion carried.

Mr. Pilote made a motion to come out of executive session. It was seconded by Mr. Bond. The vote was: Mr. Pilote, aye; Mr. Bond, aye; Ms. Odom, aye; and Mr. Ellis, aye. Motion carried.

### **APPLICATIONS**

Mr. Pilote made a motion to approve the following for registration:

Approved for Licensure

SILVER EAGLE CONSTRUCTION LLC  
ULTIMATE FENCE COMPANY LLC  
FAST TRAX FLOORING  
BURCHAM BUILT CONSTRUCTION LLC

RCE-40718  
RCE-43019  
RCE-43082  
RCE-43097

SUBLIME PAINTING LLC	RCE-43109
TERRY MELVIN CONSTRUCTION LLC	RCE-43203
BLUE SKY ROOFING & CONSTRUCTION LLC	RCE-43279
CARLISLE DON LYNN	RCT-43276
ROBINSON SEAN MICHAEL	RCT-43160

It was seconded by Mr. Bond. Motion carried.

Ms. Odom made a motion to approve 901148230 for registration. Motion died for lack of a second.

Ms. Odom made a motion to table the application for 901148230. It was seconded by Mr. Bond. Motion carried.

Mr. Bond made a motion to table the application 901147892. It was seconded by Mr. Pilote. Motion carried.

Mr. Bond made a motion to deny the application for registration for John Anthony based on Idaho Code 54-5210 (c). It was seconded by Mr. Pilote. Motion carried.

Mr. Pilote made a motion to approve the application for 901147968 pending additional information. It was seconded by Mr. Bond. Motion carried.

### **OPEN MEETING LAW PRESENTATION**

Mr. Toryanski gave a presentation on the Open Meeting Law to the Board.

### **TO DO LIST**

The Board reviewed the to do list and no action was taken.

### **NEXT MEETINGS WERE SCHEDULED FOR:**

- December 13, 2016 Conference Call at 10:00 AM
- January 17, 2017 Conference Call at 10:00 AM
- February 7, 2017 Face to Face Meeting at 8:30 AM
- March 14, 2017 Conference Call at 10:00 AM

### **NASCLA 2017 DIRECTORY UPDATE**

The Board directed the Bureau to complete and return the directory update form to NASCLA.

## ADJOURNMENT

Ms. Odom made a motion to adjourn the meeting at 1:10 PM. It was seconded by Mr. Bond. Motion carried.

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C Roy Ellis, Chair

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Rodney Underhill

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J Robert Pilote

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Rebecca Ann Bowen Odom

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Gary R Bond

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Tana Cory, Bureau Chief